

UNITED STATES

PRELIMINARY VIEWS ON WRC-00

WRC-00 Agenda Item 1.19bis (As adopted at the 1998 meeting of the ITU Council):

in accordance with [Article S14], to consider objections expressed by administrations with respect to the RRB Rules of Procedure relating to the application of [RR2674/S23.13] in order for the Bureau to modify its findings in accordance with the conclusions of the conference.

ISSUE: Rules of Procedure associated with No. S23.13 (RR2674).

BACKGROUND: No. S23.13 (RR2674) states:

“In devising the characteristics of a space station in the broadcasting-satellite service, all technical means available shall be used to reduce, to the maximum, the radiation over the territory of other countries unless an agreement has been previously reached with such countries.”

No. S23.13 (RR2674) was adopted at WARC-71. It was intended as a statement of good engineering practice to reduce BSS interference with the terrestrial services outside of the intended service area. At WRC-95, however, some countries sought to have the interpretation of No. S23.13 (RR 2674) revised to require, as a condition for registration, the approval of other countries within the service area of a BSS system proposed as a plan modification. After thorough debate, WRC-95 instructed the RRB to revise its Rules of Procedures to reflect the results of its debate. The decision reached by WRC-95 reflected a difficult compromise on the parts of all parties involved. The RRB made the revisions, but further concerns were raised at WRC-97. These concerns led WRC-97 to adopt Resolution 536 which resolves that:

“in addition to observing No. S23.13/2674, and before providing satellite broadcasting services to other administrations, administrations originating the services should obtain the agreement of those other administrations.”

The ITU Council at its 1998 meeting added Item 1.19 bis to the Agenda for WRC-2000.

PRELIMINARY VIEW: Agenda Item 1.19 bis has the effect of re-opening an issue that was resolved after much discussion first at WRC-95, and then at WRC-97 by the adoption of Resolution 536. There is no need to repeat the work and discussion of WRC-95 and WRC-97.

Further, the United States is concerned that re-opening this issue could compromise the principle of free flow of information contained in Article 19 of the Universal Declaration of Human Rights, which provides that: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers." The Universal Declaration of Human Rights, including Article 19 just quoted, was passed by the UN General Assembly on 10 December 1948.